



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

Douglas W. Domenech
Secretary of Natural Resources

4949A Cox Road, Glen Allen, Virginia 23060
(804) 527-5020 Fax (804) 527-5106
www.deq.virginia.gov

David K. Paylor
Director

Michael P. Murphy
Regional Director

Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1, of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Mr. Steve J. Yob, P.E., County of Henrico

Facility Name: Springfield Road Landfill
Facility Location: 10600 Fords Country Lane
Glen Allen, VA 23060

Registration Number: 51286
Permit Number: PRO-51286

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act (Sections I through VII)
State Only Enforceable Requirements (Section VIII)

September 30, 2011
Effective Date

September 29, 2016
Expiration Date

Deputy Regional Director

Signature Date

Table of Contents, 2 pages
Permit Conditions, 19 pages

**County of Henrico, Springfield Road Landfill
Title V Operating Permit
Table of Contents**

I. FACILITY INFORMATION	3
II. EMISSIONS UNIT AND CONTROL DEVICE IDENTIFICATION	4
III. EMISSIONS UNIT SPECIFIC PERMIT TERMS FOR OPEN FLARE(F-001).....	5
A. Open Flare Limitations.....	5
B. Testing	5
C. Reporting	5
D. Monitoring and Recordkeeping	5
IV. EMISSION UNIT SPECIFIC PERMIT TERMS FOR LANDFILL (SRL-001).....	6
A. SRL-001, Springfield Landfill Limitations	6
B. Testing	7
C. Reporting	7
D. Recordkeeping	9
V. FACILITY WIDE REQUIREMENTS	9
VI. INSIGNIFICANT EMISSION UNITS.....	9
VII. PERMIT SHIELD & INAPPLICABLE REQUIREMENTS.....	10
VIII. FUTURE APPLICABLE REQUIREMENTS	10
IX. GENERAL CONDITIONS.....	11
A. FEDERAL ENFORCEABILITY	11
B. PERMIT EXPIRATION	11
C. RECORDKEEPING AND REPORTING.....	11
D. ANNUAL COMPLIANCE CERTIFICATION	12
E. PERMIT DEVIATION REPORTING	13
F. FAILURE/MALFUNCTION REPORTING	13
G. SEVERABILITY	13
H. DUTY TO COMPLY	14
I. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE	14
J. PERMIT ACTION FOR CAUSE	14
K. PROPERTY RIGHTS.....	14
L. DUTY TO SUBMIT INFORMATION	14
M. DUTY TO PAY PERMIT FEES.....	15
N. FUGITIVE DUST EMISSION STANDARDS.....	15
O. STARTUP, SHUTDOWN, AND MALFUNCTION.....	15
P. ALTERNATIVE OPERATING SCENARIOS	16
Q. INSPECTION AND ENTRY REQUIREMENTS.....	16
R. REOPENING FOR CAUSE.....	16
S. PERMIT AVAILABILITY.....	17
T. TRANSFER OF PERMITS	17
U. MALFUNCTION AS AN AFFIRMATIVE DEFENSE.....	17
V. PERMIT REVOCATION OR TERMINATION FOR CAUSE.....	18
W. DUTY TO SUPPLEMENT OR CORRECT APPLICATION	18
X. STRATOSPHERIC OZONE PROTECTION	18
Y. ASBESTOS REQUIREMENTS.....	18
Z. ACCIDENTAL RELEASE PREVENTION.....	18
AA. CHANGES TO PERMITS FOR EMISSIONS TRADING.....	19
BB. EMISSIONS TRADING	19
X. STATE-ONLY ENFORCEABLE REQUIREMENTS	19

I. FACILITY INFORMATION

Permittee

County of Henrico
Department of Public Utilities
P.O. Box 27032
Richmond, VA 23273

Facility

Springfield Road Landfill
10600 Fords Country Lane
Glen Allen, VA 23060

Responsible Official

Steve J. Yob, P.E.
Chief of Solid Waste
(804) 727-8217

Contact person

Jon Clary, PE
Senior Engineer
(804) 727-8774 FAX 8787

Registration Number: 51286

County Plant ID: 087-0217

Facility Description:

NAIC Code 562212 (SIC Code: 4953) - Springfield Road Landfill is a municipal solid waste landfill located at 10600 Fords Country Lane in Henrico County, Virginia. The landfill has operated since 1966 and is permitted to accept only solid wastes as defined and regulated by the Virginia Solid Waste Management Regulations. These wastes are generated from Henrico County and include general domestic household waste, commercial waste and construction debris. Only non-liquid, non-hazardous and non-infectious wastes are accepted at the landfill. The Springfield Road Landfill has six cells on 192 acres. The cells are Eastern Fill, Western Fill and Phases I, II, III and IV. The Eastern, Western and Phase I cells are closed and capped. Phase II, III and Phase IV are the operating cells.

The Springfield Road landfill was a small landfill that commenced construction in 1966 at a design capacity of 1,451,000 Mg and modified the design capacity in 1989 with an increase of 411,000 Mg to a total design capacity of 1,862,000 Mg. In 1994, the landfill increased its design capacity by 1,039,000 Mg to a total landfill design capacity of 2,901,000 Mg. Springfield Road Landfill was a small landfill that was modified to become a large landfill with a design capacity greater than 2.5 million Mg, and subject to 40 CFR 60 Subpart WWW (not required to add an NSPS WWW active collection system). The cells in the landfill are equipped with an active Landfill Gas Collection and Control System (not NSPS WWW) consisting of vertical gas extraction wells and the associated header piping leading to a landfill gas destruction flare (exempt from permitting, but must meet opacity standard). The landfill gas collected is also treated prior to use by INGENCO Henrico Facility (minor permit 52303), a Landfill Gas to Energy plant co-located at the Springfield Road Landfill (not a support facility – capable of fuel oil only).

On April 13, 2011, the landfill provided by letter a revised design capacity report for a calculated increased to the NMOC emissions based on the revised design capacity of 3,488,348 Mg, which increased to a maximum emission rate of 17.59 Mg/year of NMOC (no change to NSPS Subpart WWW applicability to add an active collection system). A copy is attached to the Statement of Basis.

II. EMISSIONS UNIT SPECIFIC REQUIREMENTS

A. Significant Emissions Unit Inventory List

Process Units

Emission Unit No.	Stack ID	Emission Unit Description	Size/Rated Capacity*	Applicable Permit Date
SRL-001	NA	Municipal Solid Waste Landfill, Commenced construction in 1966	3.5 million Mg of municipal solid waste	NA
SRL-002	NA	Fugitive Dust/ Emissions, Commenced construction in 1966	3.5 million Mg of municipal solid waste	NA

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

Pollution Control Equipment (installed)

Emission Unit No.	Stack ID	Emission Unit Description	Size/Rated Capacity*	Applicable Permit Date
F-001	001	Open Flare, Landfill gas Specialties, LLC. Model PCF1238I/O Commenced construction in June 2005	1500 SCFM	-

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. EMISSION UNIT SPECIFIC PERMIT TERMS FOR OPEN FLARE (F-001)

A. Open Flare Limitations

1. Visible emissions from the open flare shall not exceed 20% opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 30% opacity. All visible emissions rates shall be determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-110)

B. Testing

1. The open flare shall be designed and constructed to allow emissions testing using appropriate methods upon reasonable notice at any time. Upon request from the Department, test ports shall be provided at the appropriate locations.
(9 VAC 5-80-110)
2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ.
(9 VAC 5-80-110)

C. Reporting

None applicable.

D. Monitoring and Recordkeeping

1. The open flare shall be observed visually at least once each calendar month for at least a brief time period during normal operations to determine if there are normal visual emissions, unless a 40 CFR 60 Appendix A Method 9 visible emissions evaluation (VEE) is performed. Each time the open flare is observed to have an above average visual emission observation (VEO), a 40 CFR 60 Appendix A Method 9 visible emissions evaluation is to be performed. If the open flare is not operated during the calendar month, no visible emissions observation needs to be performed. The permittee shall have written records of visible emissions observations or records that the open flare was not operated that calendar month. These records shall be available on site for inspection by the DEQ and shall be current for the most recent (5) years.
(9 VAC 5-80-110)
2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Piedmont Regional Office. These records shall include, but are not limited to the following:
 - a. Monthly visual emissions observation of open flare or that the open flare was not operated; and
 - b. All open flare stack test reports and Appendix A, Method 9 visible emissions evaluation results.

These records shall be available for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-80-110)

IV. EMISSION UNIT SPECIFIC PERMIT TERMS FOR LANDFILL (SRL-001)

A. SRL-001, Springfield Landfill Limitations

1. The County of Henrico shall register the Springfield Road Landfill with the Department of Environmental Quality (DEQ) and shall maintain such registration by submitting annual updates of registration information and emissions as specified in Specific Condition III.C.1 of this document.
(9 VAC 5-80-110)
2. The permittee shall, to the extent practicable, maintain and operate any affected facility including air pollution control equipment or monitoring equipment, in a manner consistent with good air pollution control practice of minimizing emissions. This condition applies at all times including periods of startup, shutdown and malfunction.
(9 VAC 5-80-110)
3. The permitted capacity of the municipal solid waste (MSW) landfill is 3,488,348 mega-grams of municipal solid waste. A change in the capacity may require an air permit to construct and operate.
(9 VAC 5-80-110)
4. Except as specified in this permit, the permitted facility is to be operated in accordance with the applicable provisions of 40 CFR 60, Subpart WWW.
(9 VAC 5-80-110)
5. Unless otherwise specified, dust emission controls shall include the following or equivalent as a minimum:
 - a. All material being stockpiled shall be kept moist to control dust during storage and handling, or covered to minimize emissions.
 - b. Dust from haul roads shall be controlled by wet suppression.
 - c. Reasonable precautions shall be taken to prevent deposition of dirt on public roads and subsequent dust emissions. Dirt spilled or tracked onto paved surfaces shall be promptly removed to prevent particulate matter from becoming airborne.
(9 VAC 5-80-110)
6. The application dated January 21, 1999, initial renewal request dated April 11, 2006 (and August 29, 2006 addendum) and renewal request dated January 19, 2011 for the Title V Permit (and April 13, 2011 addendum) satisfies the requirements of Subpart WWW, 40 CFR 60.757 (a) for submission of the Initial and Revised Design Capacity Reports and the Initial NMOC Emission Rate Report (Tier 1) to the Director, Piedmont Regional Office.
(9 VAC 5-80-110, 40 CFR 60.757 (a)(1) and 40 CFR 60.757 (b)).
7. The report dated March 17, 1999 and renewal request dated January 19, 2011 for the Title V Permit (and April 13, 2011 addendum) satisfies the requirements of Subpart WWW, 40 CFR 60.757 C (1) for submission of the Revised NMOC Emission Rate Report (Tier 2) calculations to the Director, Piedmont Regional Office.
(9 VAC 5-80-110 and 40 CFR 60.757 (c)(1))

B. Testing

1. The permitted facility shall be designed and constructed to allow emissions testing using appropriate methods upon reasonable notice at any time.
(9 VAC 5-80-110)

C. Reporting

1. Not later than February 1 of each year, the permittee shall submit an annual NMOC Emission Rate Report to the Director, Piedmont Regional Office. If the estimated NMOC emissions rate, as provided in the annual report, is less than 50 Mg per year of NMOC in each of the reported five years, the permittee may submit an estimate of the NMOC emission rate for the next five years, in lieu of an annual report.
(9 VAC 5-80-110 and 40 CFR 60.757 (b) and 40 CFR 60.757 (b) (1) (ii))
2. If the reported NMOC emission rate in the initial or any annual report referenced in Specific Condition III.C.1 of this document equals or exceeds fifty (50) mega-grams per year, the permittee shall:
 - a. Submit a landfill gas collection and control system design plan to the Director, Piedmont Regional Office, within one (1) year after submittal of the first annual NMOC emission rate report referenced in Specific Condition III.C.5 of this document which indicates an NMOC emission rate of fifty (50) mega-grams or greater, or
 - b. Demonstrate, using a site-specific NMOC concentration with Tier 2 calculations, that NMOC emissions do not equal or exceed fifty (50) mega-grams per year. The permittee shall make such demonstration and submit a revised NMOC emission rate report within 180 days of submittal of the first annual NMOC emission rate report referenced in Specific Condition III.C.1 of this document which indicates an NMOC emission rate of fifty (50) mega-grams or greater. The permittee shall resume annual emission rate reporting as specified in Specific Condition III.C.1 of this document and retest the site-specific NMOC emission rate every five (5) years.
(9 VAC 5-80-110, 40 CFR 60.754 (a) (3) (iii) and 40 CFR 60.754 (b))
3. If, using a site-specific NMOC concentration with Tier 2 calculations, as referenced in Specific Condition III.C.2 of this document, the NMOC emission rate equals or exceeds fifty (50) mega-grams per year, the permittee shall:
 - a. Submit a landfill gas collection and control system design plan to the Director, Piedmont Regional Office, within one (1) year after submittal of the first annual NMOC emission rate report referenced in Specific Condition III.C.2 of this document which indicates an NMOC emission rate of fifty (50) mega-grams or greater, or
 - b. Demonstrate, using a site-specific methane generation constant with Tier 3 calculations, that NMOC emissions do not equal or exceed fifty (50) mega-grams per year. The permittee shall make such demonstration and submit a revised NMOC emission rate report within one (1) year of submittal of the first annual NMOC emission rate report referenced in Specific Condition III.C.2 of this document which indicates an NMOC emission rate of fifty (50) mega-grams or greater. The permittee shall resume annual NMOC emission rate reporting as specified in Specific Condition III.C.2 of this document.
(9 VAC 5-80-110, 9 VAC 5-80-800 and 40 CFR 60.754 (a) (4))

4. If, using a site-specific methane generation constant as referenced in Specific Condition III.C.3 of this document, the NMOC emission rate equals or exceeds fifty (50) mega-grams per year, the permittee shall submit a landfill gas collection and control system design plan to the Director, Piedmont Regional Office, within one (1) year after submittal of the first annual NMOC emission rate report referenced in Specific Condition III.C.2 of this document which indicates an NMOC emission rate of fifty (50) mega-grams or greater.
(9 VAC 5-80-110 and 40 CFR 60.752 (b) (2))
5. If the permittee is required to install a landfill gas collection and control system in accordance with the provisions of 9 VAC 5-50-410 Subpart WWW and Specific Conditions III.C.2, III.C.3, or III.C.4 of this document, the permittee shall apply for a solid waste permit amendment in accordance with Part VII (9 VAC 20-80-480 et seq.) of 9 VAC Chapter 80 (Solid Waste Management Regulations).
(9 VAC 5-80-110)
6. If the permittee is required to install a landfill gas collection and control system in accordance with the provisions of 9 VAC 5-50-410 Subpart WWW and Specific Conditions III.C.2, III.C.3, or III.C.4 of this document, the permittee shall apply for a Title V Operating Permit significant modification within ninety (90) days of approval of the gas collection and control plan. A New Source Review permit may be necessary to construct such a system.
(9 VAC 5-80-110)
7. If the permittee is required to install a landfill gas collection and control system in accordance with the provisions of 9 VAC 5-50-410 Subpart WWW and Specific Conditions III.C.2, III.C.3, or III.C.4 of this document, the permittee shall install and have operational a landfill gas collection and control system within thirty (30) months of submittal of the first annual emission rate report referenced in Specific Condition III.C.2 of this document that indicates an NMOC emission rate equal to or exceeding fifty (50) mega-grams per year. The landfill gas collection and control system shall meet the following:
 - a. Is designed to handle the maximum expected landfill gas flow rate from the entire area of the landfill;
 - b. Collects landfill gas from each area, cell or group of cells in which solid waste has been placed for a period of:
 - (i) Five (5) years or more if the landfill is active; or
 - (ii) Two (2) years or more if the landfill is closed or at final grade;
 - c. Collects landfill gas at a sufficient extraction rate;
 - d. Is designed to minimize off-site migration of subsurface landfill gas;
 - e. Reduces NMOC by ninety-eight (98) weight percent or, for an enclosed combustion device, either reduces NMOC by ninety-eight (98) weight percent or reduces the outlet concentration of NMOC to less than 20 ppmv, dry, as hexane, at three (3) percent oxygen;
 - f. Maintains the methane concentration at the surface of the landfill at less than 500 ppmv above background level.
(9 VAC 5-80-110 and 40 CFR 60.752 (b) (2) (ii) (A))
8. The permittee shall submit a closure report in accordance with 40 CFR 60.757 (d) to the Director, Piedmont Regional Office, within thirty (30) days of the date that the municipal solid waste landfill ceases acceptance of waste.
(9 VAC 5-80-110 and 40 CFR 60.752 (b) (2) (iv) (A))

D. Recordkeeping

1. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Piedmont Regional Office. These records shall include, but are not limited to the following:
 - a. Current maximum design capacity, current amount of refuse in place, and annual refuse accumulation rates;
 - b. Description, location, amount, and placement date of all non-degradable refuse including asbestos and demolition debris placed in landfill areas that are excluded from landfill gas estimation; and
 - c. Installation date and location of all vents and wells.

These records shall be available for inspection by the DEQ and shall be current for the most recent five (5) years.
(9 VAC 5-80-110)

V. FACILITY WIDE REQUIREMENTS

All facility wide conditions and permit terms are included in Part II and Part III of this document.

VI. INSIGNIFICANT EMISSIONS UNITS

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation1 (9 VAC_)	Pollutant Emitted (5-80-720 B.)	Rated Capacity (5-80-720 C.)
EG-1	Emergency Diesel Generator	5-80-720C	NOx, CO, VOC, SOx, PM, HAPs	25 kW
T1	Engine Fuel Tank	5-80-720B	VOC	150 gallons

¹The citation criteria for insignificant activities are as follows:
9 VAC 5-80-720 A - Listed Insignificant Activity, Not Included in Permit Application
9 VAC 5-80-720 B - Insignificant due to emission levels
9 VAC 5-80-720 C - Insignificant due to size or production rate

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

VII. PERMIT SHIELD & INAPPLICABLE REQUIREMENTS

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR Part 60 Subpart IIII	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines	The CI RICE(s) were constructed before the applicability date of July 11, 2005, and have not been modified.
40 CFR Part 64	Compliance Assurance Monitoring	The CI RICE(s) do not have add-on pollution control devices.
40 CFR Parts 51, 52, 70, and 71	Title V Greenhouse Gas Tailoring Rule, Phase 1	The facility is an existing source currently not subject to PSD for any pollutant.
40 CFR Part 60 Subpart Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	The facility is exempt from the standard based on size, largest tanks are 150 gallons, and from the Subpart Kb recordkeeping requirements as revised on October 13, 2003.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

VIII. FUTURE APPLICABLE REQUIREMENTS

If, using a site-specific NMOC value, the NMOC emission rate equals or exceeds 50 megagrams per year, then the facility shall submit a collection and design plan (60.752 b 2 and 60.759). In addition, if this were to occur, the facility would become applicable to 40 CFR 63, Subpart AAAA. The Springfield Road Landfill based on the current estimate, will probable close just before or during calendar year 2014 and not exceed 50 Mg NMOC.

Federal Register (71 FR 53274), "The United States Environmental Protection Agency proposes "amendments to the Landfills NSPS, emission guidelines, Federal plan, and Landfills NESHAP to clarify who is responsible for compliance activities where multiple parties are involved in the ownership or operation of a landfill and the associated landfill gas collection, control, and/or treatment systems" (not applicable to this landfill at this time).

IX. GENERAL CONDITIONS

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant by section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.

- f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

- 2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

- 3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.

- b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:

- (1) Exceedance of emissions limitations or operational restrictions;

- (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,

- (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than **March 1** each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- 1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
- 2. The identification of each term or condition of the permit that is the basis of the certification.
- 3. The compliance status.

4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.
7. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3_APD_Permits@epa.gov

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, Piedmont Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition VII.C.3 of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Piedmont Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Piedmont Regional Office.

(9 VAC 5-80-250)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(9 VAC 5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.

(9 VAC 5-80-190 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.

(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.

(9 VAC 5-80-110 G.6)

2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.

(9 VAC 5-80-110 G.6)

Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.

(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.

(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.

(9 VAC 5-80-160)

2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.

4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).

(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

(9 VAC 5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

X. STATE-ONLY ENFORCEABLE REQUIREMENTS

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

1. 9 VAC 5 Chapter 50, Part II, Article 2: Standards of Performance for Odorous Emissions
2. 9 VAC Chapter 50, Part II, Article 3: Standards of Performance for Toxic Pollutants

(9 VAC 5-80-110 N and 9 VAC 5-80-300)

To: Air Compliance Manager
Department of Environmental Quality – Piedmont Regional Office
4949-A Cox Road
Glen Allen, VA 23060

From: (Facility Name)
Registration No. _____

Re: TITLE V ANNUAL COMPLIANCE CERTIFICATION

Date:

Please find attached our Title V Annual Compliance Certification for the period from ____/____/____ to ____/____/____. It identifies each term or condition of the permit that is the basis of the certification. All deviations and periods of non-compliance for the period have been addressed in semi-annual monitoring reports that have either been previously submitted or are enclosed.

Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(Signature)

(Name & Title)

cc: Director, Air and Waste Division (Mail drop 3AP00)
United States Environmental Protection Agency -- Region III
1650 Arch Street
Philadelphia, PA 19103-2029

(Annual Compliance Certifications are due 60 days following end of reporting period.)

To: **Air Compliance Manager**
Department of Environmental Quality – Piedmont Regional Office
4949-A Cox Road
Glen Allen, VA 23060

From: *(Facility Name)*

Reg. No. _____

Re: **PROMPT DEVIATION REPORT – Pursuant to Title V Permit**

Date:

This confirms the deviation reported to the Regional Office at _____ o'clock on ____/____/____. The details are described below. The deviation may have caused excess emissions for more than one hour, consistent with specified averaging times. None of these deviations were related to a malfunction.

Start date & time:	End date & time:	Estimated Duration:
Deviation from which permit condition (<i>condition number and brief description</i>):		
Description of incident (<i>including emission unit affected</i>):		
Description of Monitoring Requirement for affected unit(s):		
Probable cause:		
Description of corrective measures taken (<i>demonstrating a timely & appropriate response</i>):		
Description of preventive measures taken:		

Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(Signature)

(Name & Title)

To: Air Compliance Manager
Department of Environmental Quality – Piedmont Regional Office
4949-A Cox Road
Glen Allen, VA 23060

From: (Facility Name)

Reg. No. _____

Re: SEMI-ANNUAL MONITORING REPORT – Pursuant to Title V Permit

Date:

The following monitoring report is submitted as required by our Title V permit. For the purposes of this report, deviation means (1) exceedances of emission limits, as determined by such means as stack testing, continuous emission monitors, parametric monitoring and EPA Method 9 visible emission evaluations; (2) excursions from control device operating parameter requirements such as afterburner temperature, scrubber flow rate, baghouse pressure drop; (3) excursions from operational restrictions things such as throughput, fuel quality, and coating VOC and HAP content; and (4) failure to meet monitoring, record keeping or reporting requirements. The report addresses all data points, which are above a standard, limit etc, according to the averaging period, if any, specified in the permit. If no averaging period is specified in the permit, then any monitored reading is considered a deviation to be reported. Deviations are reported regardless of whether they may have caused excess emissions or whether they were the result of a malfunction.

The period covered by the report is from ____/____/____ to ____/____/____.

During the reporting period:

- ☐ No deviations from permit requirements occurred during this semi-annual reporting period. (We conducted all required monitoring and associated record keeping and reporting. Required monitoring revealed no deviations from permit requirements.)
- ☐ We failed to conduct required monitoring/record keeping/reporting as explained on the attached form.
- ☐ We identified deviations as a result of required monitoring:
- ☐ Deviations were addressed in CEM Excess Emission Report(s) dated: _____
 - ☐ Deviations were addressed in Fuel Report(s) dated: _____
 - ☐ Deviations were addressed in MACT Report(s) dated: _____
 - ☐ Deviations due to malfunctions were addressed in letters dated: _____
 - ☐ Deviations were addressed in other report(s) dated: _____
 - Type of report: _____
 - ☐ Deviations were previously described in Prompt Deviation Reports dated: _____

 - ☐ "Other" deviations, which were not previously reported, are described in the attachment.

Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(Signature)

(Name & Title)

FAILURE TO MONITOR, KEEP RECORDS OR REPORT **Submitted as Part of Semi-Annual Monitoring Report**

Registration No. _____ Page ____ of ____

[illegible]

Annual Compliance Certification

Registration No. _____

Page _____ of _____

Cond. No.	TERMS & CONDITIONS CONTAINED IN THE PERMIT <i>(list in order)</i>	MEANS OF DETERMINING COMPLIANCE STATUS	TYPE OF DATA THE MEANS PROVIDES	PERIODS OF NON- COMPLIANCE
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Yes <input type="checkbox"/> No

Annual Compliance Certification

Registration No. _____

Page _____ of _____

“OTHER” DEVIATIONS

Submitted as Part of Semi-Annual Monitoring Report

Registration No. _____

Page _____ of _____

Condition No. & Description of Requirement	Description of Deviation (time, emission unit, description of event, cause)	Description of Associated Monitoring Requirement	Description of corrective measures taken (<i>demonstrating a timely & appropriate response</i>)

(Report deviations which may have caused excess emissions for more than one hour on a deviation report form, not here.)